

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

FEB 18 2010

JOHN F. CORCORAN, CLERK
BY: *H McDonald*
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MICHAEL AKOS MORVA,)	Civil Action No. 7:09-cv-00439
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
WESTERN VA REGIONAL JAIL,)	By: Hon. Jackson L. Kiser
Defendant.)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that plaintiff's motion to amend (No. 11) is **GRANTED**; the complaint is **DISMISSED** without prejudice for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii), 1915A(b)(1); all pending motions are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 18th day of February, 2010.

Jackson L. Kiser
Senior United States District Judge